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7590 07/16/2002 Joesph Vito Pellegrino			EXAMINER		
254 Terrace Rd Bayport, NY			NGUYEN	, TRAN N	
71			ART UNIT	PAPER NUMBER	
			2834		
			DATE MAILED: 07/16/2002		

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No. Office Action Summary Application No. Op9911,652 Examiner Tran N. Nguyen At Unit 2834 AS HORTENED STATUTORY PERIOD FOR RPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MALING DATE of this communication appears on the cover sheet with the correspondence address - Period for Reply A SHORTENED STATUTORY PERIOD FOR RPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MALING DATE OF THIS COMMUNICATION. Elementer of time may be available writer the provision of 3 CPR 1.1356, In no event, however, may a reply to limited filled where the provision of the provi	,					11 a = 4/ - \				
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DETAILED ACTION

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, all the claimed subject matters as recited in claims 1-28, as well as disclosed in the specification must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

In other words, the applicant is <u>requested to provide drawings</u> that pictorially illustrate the claimed invention, wherein the details of the drawings should show all subject matters that are disclosed in the specification and recited in the claims.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

The following is a quotation of 37 CFR 1.71(a)-(c):

The specification must set forth the precise invention for which a patent is solicited, in such manner as to distinguish it from other inventions and from what is old. It must describe completely a specific embodiment of the process, machine, manufacture, composition of matter or improvement invented, and must explain the mode of operation or principle whenever applicable. The best mode contemplated by the inventor of carrying out his invention must be set forth.

The specification is objected because of failing to provide a clear description of how the device works. The applicant has described an engine solely running on the power of natural permanent magnet. The present invention discloses that the magnets repel each other in the

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engine causing a turning motion of a so-called middle bar; in turn, this middle bar causing a motion drive system of gears, pulleys and conveyer belts to move in order to enable positioning of a "magnetic hammer" provided with permanent magnet to repel a magnet on an arm connected to the middle bar.

The device will not operate as disclosed because of the following reasons:

The field magnets generate steady magnetic fields interacting with the steady magnetic force of the middle bar and the "magnetic hammer" results in no change in magnetic flux flow. This will eventually bring the spinning middle bar assembly to the equilibrium state. Therefore, eventually no continuous rotation/spinning will occur on the middle bar. In other words, the device's magnetic flux flow is always in a constant state between the middle bar and the magnetic hammer; thus, there is no change in magnetic fields between the two permanent magnet assemblies in order to create a continuous rotational/spinning force to cause the rotary magnet middle-bar assembly to rotate/spin;

Furthermore, the present invention seems to disregard fiction loss that will occur within the motion drive system of gears, pulleys and conveyer belts for positioning the "magnetic hammer" to repel a magnet on an arm connected to the middle bar. This fiction loss will eventually effect the ability to locate the magnetic hammer to a proper position in order to generate a magnetic repel force with the magnet of the middle bar. This would result in decreasing the magnetic strength thereof.

Also, in the Specification of the invention, the applicant discloses that the engine relies solely on its own natural magnetic energy to produce rotary output energy. The present invention does not use any supplied source of input power during the working operation of engine. The claimed engine is a self-powering device.

Based on the above reasons, the present invention is known as a perpetual motion machine, which will not work because of the violation of the First and/or Second Law of Thermodynamics.

It is the policy of the U.S. Patent and Trademark Office to require a working model to be provided before a patent can be granted for perpetual motion machines. The applicant needs to clearly indicate in his response to this action how this device differs from a perpetual motion machine, and must provide an enabling disclosure for his invention.

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Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter or any new and useful improvement thereof, may obtain a patent therefore, subject to the conditions and requirements of

this title.

Claims 1-28 are rejected under 35 U.S.C. 101 because the specification indicates that what the

applicant trying to patent is a perpetual motion machine. The applicant must provide a working

model of the disclosed invention before the application can be further examined unless the

applicant is able to clearly indicate in his response to this action how this device differs from a

perpetual motion machine, and must provide an enabling disclosure for his invention.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and

using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by

the inventor of carrying out his invention.

Claims 1-28 are rejected under 35 U.S.C. 112, first paragraph, for the reasons set forth in the

objection to the specification.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Tran Nguyen whose telephone number is (703) 308-1639.

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Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703) 308-0956. The fax phone number for

this Group is (703) 305-3431 (32).

TRAN NGUYÆN

PRIMARY PATENT EXAMINER

TC-2800

7/13/02